IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

TUESDAY, THE 20TH FEBRUARY 2007 / 1ST PHALGUNA 1928

WP(C).No. 14814 of 2006(L)

PETITIONER:

ANITHA.V.V., U.P.S.A,
T.I.H.S.S. NAIMERMOOLA, P.O.VIDYANAGAR,
KASARGOD DIST.

BY ADV. SRI.KALEESWARAM RAJ.

RESPONDENTS:

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1. **STATE OF KERALA, REPRESENTED BY SECRETARY TO GOVERNMENT, DEPARTMENT OF GENERAL EDUCATION, SECRETARIAT, THIRUVANANTHAPURAM.**
2. **THE DIRECTOR OF PUBLIC INSTRUCTIONS, THIRUVANANTHAPURAM.**
3. **THE DEPUTY DIRECTOR OF EDUCATION, KASARGOD.**
4. **THE DISTRICT EDUCATIONAL OFFICER, KASARGOD.**
5. **VIDYALAKSHMI, H.S.A. (NATURAL SCIENCE), T.I.H.S.S., NAIMARMOOLA, P.O.VIDYANAGAR, KASARGOD DIST.**
6. **SHYNA.K., H.S.A. (PHYSICAL SCIENCE), T.I.H.S.S. NAIMARMOOLA, P.O.VIDYANAGAR, KASARGOD DIST.**

W.P.(C). NO.14814.2006:

7. THE MANAGER,
T.I.H.S.S. NAIMARMOOLA, P.O.VIDYANAGAR,
KASARGOD DIST.

BY ADV. SRI.S.RAMESH BABU,
SRI.M.THAMBAN,
GOVERNMENT PLEADER SMT. M.R. SEELATHA.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 20/02/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C). NO.14814/2006:

APPENDIX

PETITIONER'S EXHIBITS:

EXT. P.1: COPY OF THE B.SC CERTIFICATE OF THE PETITIONER.

EXT.P.2: COPY OF THE B.ED CERTIFICATE OF THE PETITIONER.

EXT.P.3: COPY OF THE REPRESENTATION DTD. 17/06/2005 FILED BY THE PETITIONER BEFORE THE R.4.

EXT.P.4: COPY OF THE REPESENTATION DTD. 1/06/2005 FILED BY THE R.5. BEFORE THE MANAGER.

EXT.P.5: COPY OF THE JUDGMENT DTD. 05/12/2005 IN W.P.(C). NO. 33529/2005.

EXT.P.6: COPY OF THE LETTER DTD. 06/02/2006 ISSUED BY THE D.E.O TO THE PETITIONER.

EXT.P.7: COPY OF THE ORDER DTD. 15/11/2005 ISSUED BY THE D.E.O.

EXT.P.8: COPY OF THE LETTER DTD. 25/03/2006.

EXT.P.9: COPY OF THE REPRESENTATION DTD. 15/02/2006 FILED BY THE PETITIONER BEFORE THE MANAGER.

//TRUE COPY//

prv.

K.M.JOSEPH, J.

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WP.(C) No.14814 OF 2006

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Dated this the 20th day of February, 2007

JUDGMENT

The prayers in the writ petition are to direct the seventh respondent to promote the petitioner as HSA (Natural Science), to declare that petitioner is entitled to be promoted as HSA (Natural Science) with effect from the date of occurrence of vacancy, that sixth respondent is not entitled to be promoted as HSA (Natural Science), and to promote the fifth respondent only as HSA (Physical Science) and not as HSA (Natural Science). There are other prayers also.

2. Learned counsel appearing on behalf of the seventh respondent submits that an appeal is pending before the third respondent against Ext.P7 order. In such circumstances, it is clear that the matter has not become final.

The writ petition is disposed of directing the third respondent to consider and take a decision on the appeal dated 20.1.2006 within a period of six weeks from the date of receipt of a copy of this judgment after hearing all the affected parties. Status quo as on today will be

maintained by the seventh respondent till a decision is taken by the third respondent. I leave open the contentions of the petitioner.

(K.M. JOSEPH, JUDGE)

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K.M.JOSEPH, JJ.

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W.A. No. OF

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JUDGMENT

Dated this the day of February, 2006.